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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

841/3

I hereby certify that this correspondence is being ~~transmitted~~ transmitted to the USPTO and deposited with the United States Postal Service with sufficient postage to insure its mailing and complete delivery to the Commissioner for Patents, P.O. Box 450, Alexandria, VA 22304-0450, on October 26, 2008.

Signature /Edward D. Pergament/

Typed or printed name Edward D. Pergament

In re Application of
Oleg Illich Epstein

Application Number
09/117,838

Filed
August 12, 1998

For MEDICAMENT AND METHOD OF TREATING AN ORGANISM WITH MEDICAMENTS

Art Unit
1623

Examiner
PESELEV, Elli

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540.00

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 270.00
- ☐ A check in the amount of the fee is enclosed.
- ☒ Payment by credit card. ~~Form PTO-203 is attached.~~
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-4711.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- | | |
|---|--|
| <input type="checkbox"/> applicant/inventor. | <div style="border-bottom: 1px solid black; padding-bottom: 2px;">/Edward D. Pergament/</div> <div style="text-align: right; padding-right: 20px;">Signature</div> |
| <input type="checkbox"/> assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96) | <div style="border-bottom: 1px solid black; padding-bottom: 2px;">Edward D. Pergament</div> <div style="text-align: right; padding-right: 20px;">Typed or printed name</div> |
| <input checked="" type="checkbox"/> attorney or agent of record. 43,346
Registration number _____ | <div style="border-bottom: 1px solid black; padding-bottom: 2px;">732-636-4500</div> <div style="text-align: right; padding-right: 20px;">Telephone number</div> |
| <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____ | <div style="border-bottom: 1px solid black; padding-bottom: 2px;">October 26, 2008</div> <div style="text-align: right; padding-right: 20px;">Date</div> |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

- ☐ *Total of _____ forms are submitted

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is guaranteed by 35 U.S.C. 122 and 37 CFR 11.1, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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